

Howard Chen (SBN 257393)
howard.chen@klgates.com
 Harold H. Davis, Jr. (SBN 235552)
harold.davis@klgates.com
 Irene Yang (SBN 245464)
irene.yang@klgates.com
 K&L GATES LLP
 Four Embarcadero Center, Suite 1200
 San Francisco, California 94111
 Telephone: (415) 882-8200
 Facsimile: (415) 882-8220

Jeffrey M. Ratino (SBN 197241)
jeffrey.ratino@klgates.com
 K&L GATES LLP
 630 Hansen Way
 Palo Alto, CA 94304
 Telephone: (650) 798-6700
 Facsimile: (650) 798-6701

Attorneys for Plaintiffs
 WISTRON CORPORATION, WISTRON
 INFOCOMM (TEXAS) CORPORATION,
 WISTRON INFOCOMM TECHNOLOGY
 (AMERICA) CORPORATION,
 AOPEN INCORPORATED AND
 AOPEN AMERICA INCORPORATED

Ezekiel R. Dumke IV (SBN 259407)
edumke@quinnanddumke.com
 QUINN DUMKE LLC
 2150 S. 1300 E., Suite 500
 Salt Lake City, Utah 84106
 Telephone: 801.746.2268
 Facsimile: 801.746.2411

Attorneys for Defendants
 PHILLIP M. ADAMS & ASSOCIATES,
 L.L.C., AFTG-TG, L.L.C. AND PHILLIP M.
 ADAMS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

WISTRON CORPORATION; WISTRON
 INFOCOMM (TEXAS) CORPORATION; and
 WISTRON INFOCOMM TECHNOLOGY
 (AMERICA) CORPORATION; AOPEN
 INCORPORATED and AOPEN AMERICA
 INCORPORATED;

Plaintiffs,

vs.

PHILLIP M. ADAMS & ASSOCIATES, LLC;
 AFTG-TG LLC; and PHILLIP M. ADAMS,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. 3:10-CV-04458-EMC (MEJ)

**STIPULATION AND [PROPOSED]
 ORDER RE: DISMISSAL**

Complaint Filed: October 1, 2010
 Trial Date: None

1 Plaintiffs Wistron Corporation, SMS Infocomm Corporation (formerly Wistron Infocomm
 2 (Texas) Corporation), Wistron Infocomm Technology (America) Corporation, AOpen Inc., and
 3 AOpen America Inc. (collectively “Plaintiffs”); and Defendants Phillip M. Adams & Associates,
 4 LLC (“PMAA”), AFTG-TG LLC (“AFTG”), and Phillip M. Adams (collectively, “Defendants”),
 5 through their respective counsel of record, hereby stipulate pursuant to Federal Rule of Civil
 6 Procedure 41(a)(1)(A)(ii) and (c) that all claims and counterclaims between and among Plaintiffs and
 7 Defendants shall be dismissed in their entirety, with prejudice, and with each party to bear its own
 8 attorneys' fees and costs.

9
 10 K&L GATES LLP

11 Dated: September 26, 2011

12 By: /s/ Jeffrey M. Ratinoff

13 Harold H. Davis, Jr.
 14 Jeffrey M. Ratinoff
 15 Irene Yang

16 Attorneys for Plaintiffs
 17 WISTRON CORPORATION, WISTRON
 18 INFOCOMM (TEXAS) CORPORATION,
 19 WISTRON INFOCOMM TECHNOLOGY
 20 (AMERICA) CORPORATION,
 21 AOPEN INCORPORATED AND
 22 AOPEN AMERICA INCORPORATED

23
 24 QUINN DUMKE LLC

25 Dated: September 26, 2011

26 By: /s/ Ezekiel R. Dumke IV

27 Ezekiel R. Dumke IV

28 Attorneys for Defendants
 PHILLIP M. ADAMS & ASSOCIATES. LLC,
 AFTG-TG, LLC, AND PHILLIP M. ADAMS

ATTESTATION PER GENERAL ORDER 45

In compliance with General Order 45, X.B. of this Court, concurrence in the filing of this document has been obtained from the other signatory.

Dated: September 26, 2011

K&L GATES LLP

By: /s/ Jeffrey M. Ratinoff
Jeffrey M. Ratinoff

Attorneys for Plaintiffs
WISTRON CORPORATION, WISTRON
INFOCOMM (TEXAS) CORPORATION,
WISTRON INFOCOMM TECHNOLOGY
(AMERICA) CORPORATION,
AOPEN INCORPORATED AND
AOPEN AMERICA INCORPORATED

ORDER

Pursuant to stipulation of the parties through their counsel of record, and
for good cause, IT IS HEREBY ORDERED THAT:

1. This Action, including all claims and counterclaims, is hereby dismissed with
prejudice;
2. Each party is to bear its own costs and attorneys' fees; and
3. All pre-trial dates currently scheduled are vacated

IT IS SO ORDERED.

9/28

Dated: _____, 2011

By: _____

